

SUBCOMMITTEE 2

FINAL ACTION REPORT

Senate Budget and Fiscal Review

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SUBCOMMITTEE No. 2

NATURAL RESOURCES, ENVIRONMENTAL PROTECTION, ENERGY & UTILITIES, AND FOOD & AGRICULTURE

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NATURAL RESOURCES

0540 SECRETARY FOR RESOURCES

- Approved \$30.5 million in Proposition 50 bond funds and \$7.9 million Proposition 40 bond funds for grants to acquire and develop River Parkway projects.
- Approved \$11.7 million in Proposition 50 bond funds for grants to acquire property in the Sierra Nevada Cascade region of the state.
- Approved \$300,000 from Proposition 50 bond funds to contract for an independent programmatic and fiscal review of the CALFED program.

Budget Bill Language

1. *Approved language to require the agency, in coordination with the Sierra Nevada Conservancy, to report by December 1, 2005 on a plan for the coordination of grant programs in the Sierra Nevada region.*

Supplemental Report Language

1. *Approved language to require the agency to report by January 10, 2006, on options for funding resource management activities.*
2. *Approved language to require the Department of Fish and Game (DFG), in conjunction with the Resources Agency, to report by January 10, 2006 on DFG's activities, funding sources, and measured outcomes for each of its program areas.*

3110 SPECIAL RESOURCES PROGRAMS

- Approved as budgeted.

3125 CALIFORNIA TAHOE CONSERVANCY

- Approved \$34.2 million in resources bond funds to implement the Environmental Improvement Program to restore and protect the environment in the Lake Tahoe Basin.

3340 CALIFORNIA CONSERVATION CORPS (Corps)

- Approved \$3.3 million in resources bond funds for the Corps, \$1.2 million supports the state Corps and \$2.1 million supports local Corps programs.
- Approved \$37.1 million in lease revenue bonds for construction of the Delta Service District Residential Center and the Camarillo Residential Satellite Center.

3460 COLORADO RIVER BOARD

- Approved as budgeted.

3480 DEPARTMENT OF CONSERVATION

- Approved \$350,000 from special funds to establish three new positions to increase the department's Williamson Act enforcement unit. The Governor vetoed this legislative augmentation.
- Approved \$3.3 million for support of the CALFED program. These funds are allocated to the following program elements: (1) \$96,000 for oversight and coordination, and (2) \$3.2 million for the watershed program.

Trailer Bill Language

1. *Adopted language to specify that \$2 million in revenues from mining activities on federal lands be deposited in the Surface Mining and Reclamation Account annually for implementation of the Surface Mining and Reclamation Act.*

3540 DEPARTMENT OF FORESTRY AND FIRE PROTECTION

- Approved \$9 million General Fund to augment off-season fire protection staffing in Southern California.
- Approved \$10.8 million ongoing General Fund for fire equipment replacement.
- Approved restoration of \$6.7 million General Fund that was proposed in the Governor's budget as an unallocated reduction.
- Approved \$4.1 million General Fund to support increased costs associated with unemployment insurance.
- Approved \$2.4 million General Fund to replace radio equipment with narrowband capable equipment. This replacement will take five years and cost approximately \$12 million total.

- Approved \$1.5 million General Fund to cover increased costs associated with department's aircraft services and logistical support contracts.
- Redirected \$2 million General Fund from the department's central administrative support budget to augment forest resource management, assessment, and enhancement program activities.
- Approved \$3.8 million in federal funds for fuels management in Southern California in areas infested by the Bark Beetle.
- Approved \$1.4 million in federal funds for activities to increase the utilization of biomass created by fuels management activities.
- Approved \$144 million (\$129 million from lease revenue bonds and \$15 million General Fund) for capital outlay projects to upgrade forest fire stations throughout the state.
- Approved \$154,000 from special funds to support the CALFED watershed program element.

Supplemental Report Language

1. *Approved language to require the department to report by January 10, 2006 on its expenditures for mobile equipment.*
2. *Approved language to require the department to report by January 10, 2006 on its efforts to contract with certified disabled veteran business enterprises in the 2005 fire season.*
3. *Approved language to require the department to report by January 10, 2006 on the department's plans to increase fire prevention work in Southern California, including information on how the Amador agreements have been affected. The language also requires the department to provide updated information by January 10, 2007 based on actual data collected on the fire prevention work conducted.*

3560 STATE LANDS COMMISSION

- Approved as budgeted.

Trailer Bill Language

1. *Adopted language to create a new Oil Trust Fund in the state treasury to fund abandonment of tidelands oil fields in the City of Long Beach. Also transfers funds currently held in an abandonment account by the City of Long Beach to the state Oil Trust Fund. Provides \$2 million from tidelands oil revenues be deposited monthly in the Oil Trust Fund starting in January 1, 2006. This law change will create \$36 million in additional General Fund revenue in the budget year and approximately \$24 million in additional revenues in the 2006-07 budget year.*

3600 DEPARTMENT OF FISH AND GAME (DFG)

- Approved \$5 million from the General Fund to establish 40 new warden positions to ensure that California's natural environment is protected through enforcement of existing laws. The department has recently lost 25 percent of its warden positions, reducing the number of wardens to 1960's levels. This is despite state population increases that continue to put pressure on the state's natural environment. The Governor vetoed this legislative augmentation.
- Approved \$1 million from the General Fund to establish seven new positions to restore the Native Trout program to its 1980 levels. The Governor vetoed this legislative augmentation.
- Approved \$1.7 million from the General Fund to establish 15 new positions to restore statewide review of timber harvest plans.
- Approved \$8 million from tidelands oil revenues for salmon and steelhead trout restoration projects. The Governor reduced this item by \$4 million.
- Approved \$3 million from tidelands oil revenues for fish hatchery operations. The Governor vetoed this legislative augmentation.
- Approved \$500,000 from special funds to implement the Marine Life Protection Act.
- Approved \$200,000 General Fund for an independent contract to assist DFG in re-engineering its accounting systems and assist in preparing a report to the Legislature on its activities, funding sources, and outcomes to determine the level in which DFG is fulfilling its statutory mandates.
- Approved various expenditure reductions to make each dedicated account within the Fish and Game Preservation Fund solvent.
- Approved \$3.6 million to support the CALFED program. These funds are allocated to support the following program elements: (1) \$166,000 for oversight and coordination; (2) \$84,000 for the conveyance program; (3) \$528,000 for the science program; and (4) \$2.8 million for the ecosystem restoration program.
- Approved \$11.6 million from Proposition 13 bond funds to implement environmental enhancement and mitigation measures related to the Yuba Feather Flood Protection program.
- Approved \$2.2 million one-time from bond funds for various projects to manage and enhance lands owned by the department.
- Approved \$1.3 million primarily from federal funds for angler studies and fish health programs.

Trailer Bill Language

1. *Approved the Governor's proposal to eliminate the Interagency Aquatic Invasive Species Council.*

Supplemental Report Language

1. *Approved language to require the department, in conjunction with the Resources Agency, to report by January 10, 2006 on the department's activities, funding sources, and measured outcomes for each of its program areas.*
2. *Approved language to require the department to submit budget change proposals to address any instances in which activities are funded using resources other than those for which funds have been appropriated.*
3. *Approved language to require the department to report, by December 31, 2005, with recommendations for coordinating the state's invasive species activities.*
4. *Approved language to require the department to report by January 10, 2006 on the Fish and Game Preservation Fund, including an expenditure plan for each of the subaccounts within the fund, a fund condition for each of the subaccounts, and a plan for each dedicated account whose revenues are in excess of 20 percent of the account.*
5. *Approved language to require the department to report, by June 30, 2006, on the resources necessary to improve the administration of the Section 1600 permit program.*

3640 WILDLIFE CONSERVATION BOARD

- Approved \$21 million in Proposition 50 bond funds for purposes of restoring and enhancing wildlife habitat as required by the Habitat Conservation Fund.

Trailer Bill Language

1. *Approved language to allocate \$12 million in Proposition 50 resources bond funds that are continuously appropriated to the Wildlife Conservation Board to fund Salton Sea restoration. The Governor reduced this item by \$3.5 million to reflect a lower than anticipated reserve balance in this account.*

3680 DEPARTMENT OF BOATING AND WATERWAYS

- Approved as budgeted.

3720 CALIFORNIA COASTAL COMMISSION

- Approved \$600,000 General Fund to establish five new positions to address the backlog of work related to tracking, accepting and opening offers to dedicate. Offers to dedicate are mitigation tools used by the commission when permitting development within the coastal zone. The Governor vetoed this legislative augmentation.
- Approved \$350,000 General Fund to establish three new positions to increase the commission's review of energy-related projects, including the extension of marine oil terminal leases and liquefied natural gas proposals. The Governor vetoed this legislative augmentation.

Supplemental Report Language

- 1. Approved language to require the commission to prepare and submit an annual report, starting January 10, 2006, showing the progress in facilitating the acceptance of outstanding offers to dedicate (OTDs).*
- 2. Approved language to require the commission to report, by January 10, 2006, on all offers to dedicate (OTDs) that have not yet been accepted by a third party, including those OTDs where the acceptance status is currently unknown.*

3760 STATE COASTAL CONSERVANCY

- Approved \$1.2 million from special funds for start-up costs for the Ocean Protection Council.
- Approved \$31.5 million in Proposition 50 bond funds and \$4 million in Proposition 40 bond funds for projects to restore and protect coastal watersheds.
- Approved \$4 million in Proposition 40 bond funds and \$2.2 million in Proposition 12 bond funds for restoration of wetlands, wildlife habitat, and public access in the San Francisco Bay Area.
- Approved \$950,000 in special funds to support the conservancy's efforts to accept and open offers to dedicate (OTDs) easements. The Governor reduced this legislative augmentation by \$500,000.

3780 NATIVE AMERICAN HERITAGE COMMISSION

- Approved as budgeted.

3790 DEPARTMENT OF PARKS AND RECREATION

- Approved \$8 million from tidelands oil revenues to establish up to 40 new park positions and fund deferred maintenance activities. The Governor reduced this legislative augmentation by \$6 million.
- Approved \$3 million from tidelands oil revenues for deferred maintenance. The state park system has nearly \$900 million in deferred maintenance projects. The Governor vetoed this legislative augmentation.
- Approved \$1.3 million General Fund to support seven new positions of the initial phase of management and operation of the new Hearst acquisition.
- Approved \$11.8 million General Fund for modification of existing state park facilities to make them more accessible to visitors with disabilities.
- Approved an increase of state park fees of \$6 million to cover costs associated with upgrading outdated water and wastewater systems.
- Approved \$44.1 million in bond funds, special funds, and federal funds for grants to fund various local park projects.
- Approved \$7.5 million from federal funds and bond funds to acquire new state park properties.
- Approved \$5.6 million from special funds to acquire new off-highway vehicle properties.
- Approved \$35.7 million in bond funds for capital outlay projects to develop and improve existing state park facilities.

3810 SANTA MONICA MOUNTAINS CONSERVANCY

- Approved \$9.5 million in Proposition 50 bond funds for watershed protection projects.

3820 SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

- Approved \$88,000 General Fund for oversight and coordination activities related to the CALFED program.

3825 SAN GABRIEL AND LOWER LOS ANGELES RIVERS AND MOUNTAINS CONSERVANCY

- Approved \$4.5 million in Proposition 50 bond funds for projects consistent with the conservancy's watershed and open space plan.

3830 SAN JOAQUIN CONSERVANCY

- Approved \$1.5 million in Proposition 40 bond funds for land acquisitions for development of the San Joaquin River Parkway. These funds are provided in the Wildlife Conservation Board's budget.

3835 BALDWIN HILLS CONSERVANCY

- Approved \$8.7 million in Proposition 40 bond funds for grants to acquire open space.

3840 DELTA PROTECTION COMMISSION

Approved as budgeted.

3845 SAN DIEGO RIVER CONSERVANCY

- Approved \$500,000 in reimbursements for grants.

3850 COACHELLA VALLEY MOUNTAINS CONSERVANCY

- Approved \$218,000 in Proposition 40 bond funds for grants and land acquisitions by the conservancy.

3855 SIERRA NEVADA CONSERVANCY

- Approved \$3.6 million special funds to fund start-up costs for the conservancy.

Supplemental Report Language

1. *Approved language to require the conservancy to report, by January 10, 2006, on its total expenditure requirements for 2006-07 and future years, in recognition that some of the expenditures in 2005-06 are one-time start-up costs.*
2. *Approved language to require the Secretary for Resources, in consultation with the Sierra Nevada Conservancy to submit a plan for the coordination of grant programs in the Sierra Nevada region.*

3860 DEPARTMENT OF WATER RESOURCES

- Approved \$103.1 million General Fund to cover settlements related to the Paterno lawsuit. Approximately \$67.1 million is for the first payment of a 10-year financing arrangement with Merrill-Lynch to pay off the \$428 million settlement reached with over 3,000 plaintiffs in this lawsuit.
- Approved \$117 million to support the CALFED program. These funds are allocated to the following program elements: (1) \$263,000 for oversight and coordination; (2) \$8.1 million for the ecosystem restoration program; (3) \$9 million for the environmental water account; (4) \$27 million for the water use efficiency program; (5) \$254,000 for the watershed program; (6) \$552,000 for the drinking water quality program; (7) \$19.2 million for levees program; (8) \$8.5 million for the storage program; (9) \$6.9 million for water supply reliability; (10) \$30.9 million for the conveyance program; and (11) \$6.2 million for the science program.
- Approved \$11.5 million in Proposition 50 bond funds for pilot and demonstration projects that remove contaminants from drinking water.
- Approved \$34.9 million in Proposition 13 bond funds for the Yuba Feather Flood Protection program, including \$14 million to fund the acceleration of levee improvements for the Three Rivers Levee Improvement Authority.
- Approved \$11.3 million (\$9.7 million General Fund) to increase DWR's flood management activities, including maintenance of the Central Valley flood project, floodplain management, emergency response, and a multi-year levee system reevaluation and rehabilitation project.
- Approved \$21 million (\$16.7 million General Fund) to fund capital outlay flood management projects in the Central Valley.
- Approved \$59 million General Fund for the lining of the All-American Canal and other local projects that help the state live within its Colorado River allocation.
- Approved \$47.9 million from Proposition 50 bond funds for the Integrated Regional Water Management grant program.
- Approved \$21.3 million from Proposition 50 for feasibility and construction grants for desalination of ocean or brackish waters.
- Approved as budgeted the California Energy Resources Scheduling division.

3870 CALIFORNIA BAY-DELTA AUTHORITY

- Approved \$19.7 million to support the CALFED program. These funds are allocated to the following program elements: (1) \$6.9 million for oversight and coordination; (2) \$7.4 million

for the ecosystem restoration program; (3) \$2.5 million for the conveyance program; and (4) \$3 million for the science program.

Budget Bill Language

1. *Approved a new control section to require the Department of Finance (DOF) to provide the Legislature with additional information on bond fund expenditures in the base budget for the CALFED Bay-Delta Program. Also requires DOF to annually submit budget change proposals for CALFED-related local assistance expenditures.*

Supplemental Report Language

1. *Approved language to require the administration to submit a zero-based cross-cut 2006-07 budget for the CALFED Bay-Delta program. It is the intent of the Legislature that this would require the Administration to justify all expenditures proposed to support the CALFED program.*

ENVIRONMENTAL PROTECTION

0555 SECRETARY FOR ENVIRONMENTAL PROTECTION

- Approved \$1 million from special funds for climate change activities, including \$500,000 to support the Climate Action Registry funded by the Public Interest Energy Research fund. The Governor vetoed the \$500,000 provided for the Climate Action Registry.

Supplemental Report Language

1. *Approved language to require the agency to report by January 10, 2006 on the further refinement of indicators developed under the Environmental Protection Indicators for California (EPIC) project.*
2. *Approved language to require the agency to report by January 10, 2006 on a balanced funding mix for implementing the Education and the Environment Initiative at the California Integrated Waste Management Board.*
3. *Approved language to require the agency to report by January 10, 2006 on the status of implementing the agency's cross-agency enforcement initiative.*

3900 AIR RESOURCES BOARD

- Approved \$3.5 million from special funds to augment the board's mobile source review program.
- Approved \$3.7 million from special funds to augment enforcement in the Heavy-Duty Vehicle Inspection program along the California-Mexico border and the Port of Long Beach.
- Approved \$8.6 million from special funds to increase funding to support the board's development of the State Implementation Plan and state regulations for reducing particulate matter (PM2.5).
- Approved \$12 million in one-time additional funding for the Carl Moyer Air Quality program. These special fund revenues were received in the current year, but had not been expended.
- Approved \$25 million in special funds (\$10 million redirected from the Carl Moyer program and \$15 million from the Motor Vehicle Account) to retrofit and replace old school buses.
- Approved \$6.5 million from special funds to implement the California Hydrogen Blueprint Plan to establish demonstration hydrogen fueling stations and lease and purchase hydrogen-powered vehicles.

Trailer Bill Language

1. *Approved language to guide the implementation of the California Hydrogen Blueprint Plan and establish standards for hydrogen fuel and fuel cells.*

Supplemental Report Language

1. *Approved language to require the board to report by January 10, 2006 on actual increases in emissions resulting from free commercial vehicle travel between the United States and Mexico as a result of NAFTA implementation.*

3910 INTEGRATED WASTE MANAGEMENT BOARD

- Approved \$3.5 million from special funds to implement the Education and Environment Initiative.

3930 DEPARTMENT OF PESTICIDE REGULATION

- Approved as budgeted.

Supplemental Report Language

1. *Approved language to require the department to report by January 1, 2006 on the number of risk assessments conducted and a description of the process the department is using to make risk assessments, including how disagreements on scientific findings have been resolved.*

3940 STATE WATER RESOURCES CONTROL BOARD

- Approved \$1.5 million from special funds to start environmental work required to determine in-stream flows required for maintaining fisheries downstream of diversions on the Napa River and other rivers on the North Coast.
- Approved \$11.5 million for loans and grants from the Repair and Replacement of Underground Storage Tanks program for small businesses.
- Approved \$15 million increase in funding from the Underground Storage Tank Cleanup Fund for the cleanup of contamination caused by underground storage tanks.

- Approved \$1.6 million in special funds to oversee cleanup of Brownfield properties, including closed military bases.
- Approved redirection of \$600,000 to establish 7.4 positions to operate a regulatory program that protects wetlands no longer protected under the jurisdiction of the federal government due to the U.S. Supreme Court SWANCC decision.
- Approved \$66.5 million from Proposition 50 bond funds for grants to finance projects that restore and protect coastal water quality.
- Approved \$55 million from Proposition 50 bond funds for Integrated Regional Water Management grants.
- Approved \$20.7 million from Proposition 50 bond funds for grants to assist in the construction of publicly owned wastewater treatment and collection facilities.
- Approved \$3.9 million from Proposition 13 bond funds for grants to finance projects that reduce non-point source pollution.
- Approved \$1.9 million from Proposition 13 bond funds for grants to finance watershed protection projects.
- Approved \$1.9 million for support of the CALFED program. These funds are allocated to the following program elements: (1) \$381,000 for the watershed program; (2) \$1.3 million for the water use efficiency program; and (3) \$212,000 for the drinking water quality program.

Trailer Bill Language

1. *Approved language to extend until January 1, 2008, the board's deadline for adopting principles and guidelines for maintaining in-stream flows in coastal streams from the Mattole River to San Francisco and in coastal streams entering Northern San Pablo Bay.*

Supplemental Report Language

1. *Approved language to require the board to report by January 10, 2006 on its plan to implement a program to regulate cruise ship waste discharges.*

3960 DEPARTMENT OF TOXIC SUBSTANCES CONTROL

- Approved \$8.5 million General Fund to continue to fund the state takeover of the BKK landfill pending resolution of long-term financing plan with the potential responsible parties.
- Approved \$1.7 million in special funds to oversee cleanup of Brownfield properties, including closed military bases.

- Approved \$3.1 million General Fund to support preliminary plans to construct a new pretreatment plant at the Stringfellow Hazardous Waste site.

Trailer Bill Language

1. *Approved language that allocates emergency response costs associated with the state takeover of the BKK landfill to the state's total share of liability related to long-term management of the landfill.*
2. *Approved language to create a state account for deposit of revenues from local agencies to fund the state's Certified Unified Program Agency in Imperial and Trinity Counties.*

Budget Bill Language

1. *Approved language to require notification of the Legislature of payments by potential responsible parties to reimburse General Fund expenditures to operate and upgrade the BKK Class I landfill.*

3980 OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

- Approved \$1 million from the General Fund to establish five new positions to fund children's health program activities and other statutory mandates. The Governor reduced this legislative augmentation by \$500,000 General Fund.
- Approved \$250,000 from the Waste Discharge Permit Fee fund to establish two new positions to address deficiencies in the department's fish health program. The Governor vetoed this legislative augmentation.
- Approved \$250,000 from the Department of Pesticide Regulation Fund to establish two new positions to support the department's pesticide related activities. The Governor vetoed this legislative augmentation.

ENERGY AND UTILITIES

3360 ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION

- Approved \$15.5 million from special funds to establish a new public interest natural gas research program at the commission.
- Approved \$796,000 from special funds to augment the commission's analytical resources related to energy demand forecasting, transportation information, and electricity procurement.

Trailer Bill Language

1. *Adopted language to expend one-half of funding for the new public interest natural gas research program pursuant to a plan jointly developed and approved by the commission and the Air Resources Board. Up to one-third of the funds allocated annually pursuant to this plan are authorized to be expended on transportation-related research.*
2. *Adopted language to allow Public Interest Energy Research funds to be expended for transportation-related public interest energy research.*
3. *Adopted language to define interests of ratepayers to include activities that benefit ratepayers and promote energy efficiency, reduction of health and environmental impacts of air pollution, greenhouse gas emissions related to natural gas and electricity and increased use of alternative fuels.*
4. *Adopted language to direct the commission to develop a long-term workload and staffing plan for the Public Interest Energy Research Development and Demonstration program.*

8660 CALIFORNIA PUBLIC UTILITIES COMMISSION

- Approved \$1 million from special funds to establish 10 new positions in the division of the Office of Ratepayer Advocates. The Governor vetoed this legislative augmentation.
- Approved \$1.3 million from special funds to expand the commission's rail safety program, including \$100,000 for a rail safety working group to identify rail safety problems and make

recommendations to the Legislature. The Governor vetoed \$283,000 intended for additional legal staff and governmental liaisons for the rail safety program.

- Approved \$6 million from special funds on a one-time basis to reimburse telephone providers for discounted telephone service provided through the Universal Lifeline Telephone Program.
- Approved \$786,000 from special funds for 13 positions to process informal complaints of utility customers, five of the positions are 2-year limited term.
- Approved \$521,000 from special funds to increase enforcement of household goods carriers.

Trailer Bill Language

1. *Adopted language to increase the maximum fee paid by household goods carriers in order to fund increased enforcement of the household goods carrier industry.*

**8665 CALIFORNIA CONSUMER POWER AND CONSERVATION
FINANCING AUTHORITY**

- No funding provided in the budget year. The Authority has been disbanded.

8770 ELECTRICITY OVERSIGHT BOARD

- Approved as budgeted.

FOOD AND AGRICULTURE

8570 DEPARTMENT OF FOOD AND AGRICULTURE

- Approved \$8 million from the General Fund to support the Mediterranean fruit fly preventative release program.
- Approved \$1.3 million from the General Fund to eliminate the backlog of deferred purchases to replace obsolete equipment for the state's veterinary diagnostic laboratory system.
- Approved the restoration of \$597,000 General Fund that was proposed as an unallocated reduction to the County Agricultural Commissioners. A corresponding reduction was made to the General Fund budget for the department.

Budget Bill Language

1. *Approved language to require the department to provide a detailed spending plan for federal specialty crop grant funds prior to appropriation of these funds by the Legislature.*

Trailer Bill Language

1. *Approved the Governor's proposal to eliminate the Agriculture Cooperative Bargaining Advisory Committee.*

Supplemental Report Language

1. *Approved language to require the department to report by March 1, 2006 to the Legislature on the activities conducted and fees collected by the commodity specific boards under the department.*

7300 AGRICULTURAL LABOR RELATIONS BOARD

- Approved as budgeted.